

**U.S. District Court
Western District of Missouri (Kansas City)
CRIMINAL DOCKET FOR CASE #: 4:11-cr-00098-FJG All Defendants**

Case title: USA v. Deloney
Related Case: 4:16-cv-00593-FJG
Magistrate judge case number: 4:11-mj-00042-SWH

Date Filed: 04/20/2011
Date Terminated: 02/01/2013

Assigned to: Chief District Judge
Fernando J. Gaitan, Jr

Appeals court case numbers:
12-1145 8th Circuit Court of
Appeals, 13-1371 8th Circuit
Court of Appeals

Defendant (1)

Anthony C Deloney
TERMINATED: 02/01/2013

represented by **Laine T Cardarella**
Federal Public Defender's Office – KCMO Walnut
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Ste. 600
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*
Bar Status: Active

Stephen C Moss
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ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Bar Status:

Pending Counts

UNLAWFUL TRANSPORT OF
FIREARMS, ETC.

(1)

RECEIVE STOLEN FIREARMS

(1s)

Disposition

The original indictment filed 4/20/11 is dismissed upon oral motion of government counsel.

The defendant pleaded guilty to Count 1s on 08/02/12 of the Information. IMPRISONMENT: The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 100 Months. The defendant is remanded to the custody of the United States Marshal. The Court recommends to the Bureau of Prisons: That defendants medical history be reviewed for placement at a facility which specializes in medical care. SUPERVISED RELEASE: Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years. Standard and additional conditions of supervision imposed. CRIMINAL MONETARY PENALTIES: MSA: \$100. No fine or restitution.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level
(Terminated)**

None

Complaints

On or about April 5, 2011, in the
Western District of Missouri,
Anthony C. Deloney, having been

Disposition

convicted of crimes punishable by imprisonment for terms exceeding one year, did knowingly possess, in and affecting commerce, firearms, to wit: a Rossi, Model 68, .38 caliber revolver, Serial Number AA306778, and a Ruger, Model P97DC, .40 caliber pistol, Serial Number 66349273, which had been transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

Plaintiff

USA

represented by **Paul S. Becker**

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Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Page	Docket Text
04/06/2011	<u>1</u>		COMPLAINT as to Anthony C Deloney (1). (Attachments: # <u>1</u> Affidavit) (Rowland, Bonnie) [4:11-mj-00042-SWH] (Entered: 04/06/2011)
04/06/2011	<u>2</u>		MOTION for detention hearing by USA as to Anthony C Deloney. Suggestions in opposition/response due by 4/25/2011 unless otherwise directed by the court. (Rowland, Bonnie) [4:11-mj-00042-SWH] (Entered: 04/06/2011)
04/06/2011	<u>3</u>		

		MOTION to continue detention hearing by USA as to Anthony C Deloney. Suggestions in opposition/response due by 4/25/2011 unless otherwise directed by the court. (Rowland, Bonnie) [4:11-mj-00042-SWH] (Entered: 04/06/2011)
04/06/2011		ARREST of Anthony C Deloney (Carr, Lori) [4:11-mj-00042-SWH] (Entered: 04/08/2011)
04/06/2011	<u>5</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: granting <u>2</u> motion for detention hearing as to Anthony C Deloney (1); granting <u>3</u> motion to continue detention hearing as to Anthony C Deloney (1); INITIAL APPEARANCE as to Anthony C Deloney held on 4/8/2011. Financial affidavit taken; counsel to be appointed. Defendant returned to custody of the U.S. Marshal pending Detention Hearing and Preliminary Hearing set for 4/11/2011 01:30 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays. Government's motions for pretrial detention and continuation of are granted <u>2</u> and <u>3</u> To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) Modified on 4/8/2011 (Gicinto, JoRita). [4:11-mj-00042-SWH] (Entered: 04/08/2011)
04/06/2011	6	AFFIDAVIT of Financial Status of Anthony C Deloney. This document contains original signatures of non attorneys and is being maintained in a paper file at the court. (Carr, Lori) [4:11-mj-00042-SWH] (Entered: 04/08/2011)
04/06/2011	<u>2</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Anthony C Deloney. FPD for Anthony C Deloney appointed. Signed on 4/6/11 by Magistrate Judge Sarah W. Hays.(Carr, Lori) [4:11-mj-00042-SWH] (Entered: 04/11/2011)
04/08/2011	4	ARREST WARRANT RETURNED EXECUTED on 4/6/2011 as to Anthony C Deloney. This document contains original signatures of non attorneys and is being maintained in a paper file at the court.(Martin, Jan) [4:11-mj-00042-SWH] (Entered: 04/08/2011)
04/08/2011	<u>7</u>	ORDER AUTHORIZING TEMPORARY TRANSFER OF CUSTODY ON CONSENT as to Anthony C Deloney. Signed on 4/8/11 by Magistrate Judge Sarah W. Hays.(Carr, Lori) [4:11-mj-00042-SWH] (Entered: 04/08/2011)
04/11/2011	<u>8</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: DETENTION HEARING as to Anthony C Deloney held on 4/11/2011: Neither party presents evidence other than the testimony from the preliminary examination. Arguments presented. The Court found reason to believe that no condition or combination of conditions of release would reasonably assure the appearance of the defendant, the safety of any other person or persons and the community. DEFENDANT ordered detained without bail pending trial. Written DETENTION ORDER to be forthcoming. PRELIMINARY HEARING as to Anthony C Deloney held on 4/11/2011. Parties stipulate to the contents of the affidavit attached to the complaint filed herein as being the direct testimony of Detective Christopher Gilio. Government calls Detective Gilio for additional evidence. Cross examinations conducted. No further evidence is offered. Probable cause established; defendant bound over to U.S. District Court for grand jury action or other proceedings. Defendant remanded to custody of U.S. Marshal. To order a

		transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) [4:11-mj-00042-SWH] (Entered: 04/11/2011)
04/18/2011	<u>10</u>	ORDER OF DETENTION as to Anthony C Deloney. Signed on 4/18/11 by Magistrate Judge Sarah W. Hays.(Myers, Dorothy) [4:11-mj-00042-SWH] (Entered: 04/18/2011)
04/20/2011	<u>11</u>	INDICTMENT as to Anthony C Deloney (1) count(s) 1. (Attachments: # <u>1</u> Criminal Cover Sheet). (Moore, Terri) (Entered: 04/21/2011)
04/21/2011	<u>12</u>	ORDER OF REFERENCE to United States Magistrate Judge Sarah W. Hays as to Anthony C. Deloney. Signed on April 21, 2011 by Chief District Judge Fernando J. Gaitan, Jr. (Moore, Terri) (Entered: 04/21/2011)
04/25/2011	<u>13</u>	NOTICE OF HEARING as to Anthony C Deloney. This is the official notice for this hearing. Initial Appearance and Arraignment set for 4/28/2011 02:15 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays. Signed on 4/25/2011 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 04/25/2011)
04/25/2011	<u>14</u>	DISCOVERY ORDER as to Anthony C Deloney. Signed on 4/25/2011 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 04/25/2011)
04/28/2011	<u>15</u>	PRO SE MOTION To Dismiss For Lack of Territorial Jurisdiction Challenge To Jurisdiction of Federal Prosecution and DOJ; and Request for New Counsel by Anthony C Deloney. Suggestions in opposition/response due by 5/16/2011 unless otherwise directed by the court. (Gicinto, JoRita) (Entered: 04/28/2011)
04/28/2011	<u>17</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: INITIAL APPEARANCE as to Anthony C Deloney held on 4/28/2011, ARRAIGNMENT as to Anthony C Deloney (1) Count 1 held on 4/28/2011. Defendant pleaded not guilty. This case is set on the 6/27/11 criminal trial docket. Defendant filed a pro se motion with the Court regarding representation of counsel. The Court took the matter under advisement. Defendant returned to the custody of the U.S. Marshal. To order a transcript of this hearing please contact Dorothy Myers, 816-512-5059. (Myers, Dorothy) (Entered: 05/02/2011)
04/28/2011	<u>18</u>	ORDER SETTING SCHEDULING CONFERENCE as to Anthony C Deloney Scheduling Conference set for 6/9/2011 10:00 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 4/28/11 by Magistrate Judge Sarah W. Hays.(Myers, Dorothy) (Entered: 05/02/2011)
04/29/2011	<u>16</u>	MOTION for order <i>for Determination of Competency</i> by Anthony C Deloney. Suggestions in opposition/response due by 5/16/2011 unless otherwise directed by the court. (Moss, Stephen) (Entered: 04/29/2011)
05/12/2011	<u>19</u>	ORDER as to Anthony C Deloney – ORDERED that defendant shall be committed to the custody of the Attorney General for placement in a suitable facility, pursuant to 18 U.S.C. § 4247(b) and (c), to undergo a psychiatric examination, pursuant to 18 U.S.C. § 4241(b), to be conducted by a licensed or certified psychiatrist or psychologist employed by the institution to determine whether he is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the

		<p>nature and consequences of the proceedings against him or to assist properly in his defense. It is further ORDERED that the commitment to the custody of the Attorney General herein ordered shall not exceed 30 days unless that time is extended for an additional period of time not to exceed 15 days upon a showing of good cause that the additional time is necessary to observe and evaluate the defendant. It is further ORDERED that, upon completion of the examination herein ordered, the examining psychiatrist or psychologist shall prepare a report, for filing with the Court, in accordance with the provisions of 18 U.S.C. §§ 4247(b) and (c). It is further ORDERED that the United States Marshal for the Western District of Missouri forthwith transport the defendant to the facility designated by the Attorney General. It is further ORDERED that, upon completion of the examination herein ordered, the defendant shall promptly be returned before the Court for a hearing to determine whether or not defendant is presently suffering from a mental disease or defect which renders him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.<i>Hand delivered copy of Order to the USM.</i> Signed on 5/12/2011 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 05/12/2011)</p>
05/17/2011	<u>20</u>	<p>PRO SE MOTION for order – Motion to Withdraw Federal Public Defender by Anthony C Deloney. Suggestions in opposition/response due by 6/3/2011 unless otherwise directed by the court. (Gicinto, JoRita) (Entered: 05/26/2011)</p>
05/26/2011	<u>21</u>	<p>PRO SE Judicial Notice of Constitution and Laws, Fed.Rul.Evid 201 by Anthony C Deloney (Gicinto, JoRita) (Entered: 05/26/2011)</p>
05/27/2011	<u>22</u>	<p>MOTION to continue by Anthony C Deloney. Suggestions in opposition/response due by 6/13/2011 unless otherwise directed by the court. (Moss, Stephen) (Entered: 05/27/2011)</p>
06/17/2011	<u>23</u>	<p>ORDER granting defendant's motion to continue <u>22</u> . The case as to defendant Anthony C Deloney (1) is continued. Accelerated Jury Trial continued to 9/12/2011 at 8:30AM, Kansas City (FJG). Signed on 6/17/11 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 06/17/2011)</p>
07/11/2011	25	<p>NOTICE OF HEARING as to Anthony C Deloney. This is the official notice for this hearing. Competency Hearing set for 7/13/2011 03:15 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 7/11/2011 by Magistrate Judge Sarah W. Hays.This is a TEXT ONLY ENTRY. No document is attached.(Gicinto, JoRita) (Entered: 07/11/2011)</p>
07/13/2011	<u>27</u>	<p>Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: COMPETENCY HEARING as to Anthony C Deloney held on 7/13/2011. Parties stipulate to the report dated 7/1/2011; no further evidence presented. Court to issue R & R; defendant returned to custody of USM. Defendant presents pro se document to the Court for filing. To order a transcript of this hearing please contact Joella Baldwin, 816–512–5052. (Baldwin, Joella) (Entered: 07/14/2011)</p>
07/14/2011	<u>26</u>	<p>REPORT AND RECOMMENDATIONS as to Anthony C Deloney – RECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order finding that defendant Anthony</p>

		<p>Deloney is incompetent in that he is presently suffering from a mental disease or defect rendering him unable to understand the nature and consequences of the proceedings against him or properly assist in his defense. It is further RECOMMENDED that the Court commit defendant Deloney to the custody of the Attorney General pursuant to 18 U.S.C. §4241(d)(1). The Attorney General shall hospitalize the defendant for treatment in a suitable facility for such a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future defendant Deloney will attain the capacity to permit the trial to proceed. Counsel are reminded they have ten days from the date of receipt of a copy of this Report and Recommendation within which to file and serve objections to same. A failure to file and serve objections by this date shall bar an attack on appeal of the factual findings in this Report and Recommendation which are accepted or adopted by the district judge, except on the grounds of plain error or manifest injustice. Objections to R&R due by 8/1/2011. Signed on 7/14/2011 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 07/14/2011)</p>
07/14/2011	<u>28</u>	<p>PRO SE MOTION for order – Notice and Order To Dismiss For Lack Of Jurisdiction With Prejudice Supported By Statements Of Facts And The United States Constitution by Anthony C Deloney. Suggestions in opposition/response due by 8/1/2011 unless otherwise directed by the court. (Gicinto, JoRita) (Entered: 07/14/2011)</p>
07/18/2011	<u>29</u>	<p>ELECTRONIC TRANSCRIPT as to Anthony C Deloney of Competency Hearing held July 13, 2011 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker, 816-914-3613, rapidtranscript@kc.rr.com. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 7/25/2011. Release of Transcript Restriction set for 10/17/2011. (Whittaker, Lissa) (Entered: 07/18/2011)</p>
08/03/2011	<u>30</u>	<p>ORDER setting pretrial conference as to Anthony C Deloney Pretrial Conference set for 8/23/2011 12:00 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 8/3/2011 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 08/03/2011)</p>
08/05/2011	<u>31</u>	<p>MOTION to continue by Anthony C Deloney. Suggestions in opposition/response due by 8/22/2011 unless otherwise directed by the court. (Moss, Stephen) (Entered: 08/05/2011)</p>
08/08/2011	<u>32</u>	<p>ORDER as to Anthony C Deloney (1). The Court, after independent review of the record and applicable law, finds that defendant is incompetent to understand the nature and consequences of the proceedings against him and to properly assist in his own defense, and that he is incompetent to stand trial. The Court further orders that defendant be committed to the custody of the Attorney General pursuant to 18 U.S.C. §4241(d)(1) for hospitalization for treatment in a suitable facility for such a reasonable period of time, not to</p>

			exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future defendant will attain the capacity to permit trial to proceed. Signed on August 8, 2011 by Chief District Judge Fernando J. Gaitan, Jr. (Moore, Terri) <i>Copies forwarded to U.S. Marshal on 8/8/2011</i> (Moore, Terri). (Entered: 08/08/2011)
08/15/2011	<u>33</u>		PRO SE MOTION to Dismiss <i>Notice To Dismiss 20 Hour Hold Unconstitutional–Lack of Jurisdiction–544.170 Missouri Revised Statutes–Supported By the United States Constitution</i> by Anthony C Deloney. Suggestions in opposition/response due by 9/1/2011 unless otherwise directed by the court. (Gicinto, JoRita) (Entered: 08/15/2011)
08/23/2011	<u>34</u>		ORDER granting defendant's motion to continue <u>31</u> . The case as to defendant Anthony C Deloney is continued.Accelerated Jury Trial continued to 1/9/2012 in Kansas City (FJG). Signed on 8/23/11 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 08/23/2011)
10/06/2011	<u>37</u>		ORDER as to Anthony C Deloney (1) – ORDERED that defendant Deloneys pro se motions and pleadings (docs #15, #20, #21, #28 and #33) are denied.. Signed on 10/6/2011 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 10/06/2011)
12/05/2011	<u>38</u>		ORDER setting pretrial conference as to Anthony C Deloney Pretrial Conference set for 12/20/2011 11:00 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 12/5/2011 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 12/05/2011)
12/06/2011	<u>39</u>		MOTION to continue by Anthony C Deloney. Suggestions in opposition/response due by 12/23/2011 unless otherwise directed by the court. (Moss, Stephen) (Entered: 12/06/2011)
12/08/2011	<u>40</u>		ORDER granting defendant's unopposed motion to continue <u>39</u> trial. The trial as to defendant Anthony C Deloney is continued to 3/19/2012 at 8:30AM, Kansas City (FJG). Signed on 12/8/11 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 12/08/2011)
01/17/2012	<u>42</u>		PRO SE NOTICE OF APPEAL (Interlocutory) by Anthony C Deloney re <u>32</u> Order on Report and Recommendations. Filing fee: \$0, receipt number: IFP. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Envelope). (Moore, Terri) (Entered: 01/19/2012)
01/19/2012	<u>43</u>		Transmission of Notice of Appeal Supplement to US Court of Appeals, 8th Circuit via electronic mail as to Anthony C Deloney to US Court of Appeals. Related Document <u>42</u> Notice of Appeal – Interlocutory. (Crespo, Wil) (Entered: 01/19/2012)
01/23/2012	<u>44</u>		USCA Case Number from 8th Circuit Court of Appeals is 12–1145 for <u>42</u> Notice of Appeal – Interlocutory filed by Anthony C Deloney as to Anthony C Deloney. (Crespo, Wil) (Entered: 01/23/2012)
02/02/2012	<u>45</u>		PRO SE NOTICE of filing of Notice to Dismiss Indictment by Anthony C Deloney (Attachments: # <u>1</u> Envelope)(Moore, Terri) (Entered: 02/03/2012)
02/06/2012	<u>47</u>		PRO SE Notice of Termination of Counsel, MOTION to appoint counsel by Anthony C Deloney. Suggestions in opposition/response due by 2/24/2012 unless otherwise directed by the court. (Attachments: # <u>1</u> Envelope)(Moore,

		Terri) (Entered: 02/07/2012)
02/08/2012	<u>48</u>	ORDER setting pretrial conference as to Anthony C Deloney Pretrial Conference set for 2/29/2012 02:40 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 2/8/2012 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 02/08/2012)
02/14/2012	<u>49</u>	MOTION to continue by Anthony C Deloney. Suggestions in opposition/response due by 3/2/2012 unless otherwise directed by the court. (Moss, Stephen) (Entered: 02/14/2012)
02/15/2012	<u>50</u>	ORDER as to Anthony C Deloney (1) – ORDERED that defendant Deloneys pro se pleadings (docs #41, #45, #46 and #47) are denied.. Signed on 2/15/2012 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 02/15/2012)
02/27/2012	<u>53</u>	USCA Briefing Schedule from 8th Circuit Court of Appeals for <u>42</u> Notice of Appeal – Interlocutory filed by Anthony C Deloney as to Anthony C Deloney. Revised Briefing schedule entered by the Court of Appeals is attached. Transcript due by 3/12/2012. (Attachments: # <u>1</u> Schedule)(Crespo, Wil) (Entered: 02/27/2012)
02/28/2012	54	NOTICE OF HEARING as to Anthony C Deloney. This is the official notice for this hearing. Competency Hearing set for 3/1/2012 03:00 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 2/28/2012 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 02/28/2012)
02/29/2012	<u>55</u>	ORDER granting defendant's motion to continue <u>49</u> . The trial as to defendant Anthony C Deloney (1) is continued to 7/9/2012 in Kansas City (FJG). Signed on 2/29/12 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 02/29/2012)
03/01/2012	<u>56</u>	Minute Entry for COMPETENCY HEARING as to Anthony C Deloney held on 3/1/2012 before Magistrate Judge Sarah W. Hays: Parties present in person and with counsel. Hearing held regarding issue of competency. Court has received and reviewed the Forensic Report (Document #52) prepared by Dr. Lea Ann Preston Baecht dated February 1, 2012. Parties stipulate to the Forensic Report as being the direct testimony of Dr. Baecht. For the record, Mr. Moss states Defendant would like to seek an independent evaluation regarding the competency issue. Defendant has filed a notice of appeal challenging the Courts original competency hearing and Mr. Moss is willing to seek independent evaluation since Defendant has requested same. This hearing will be held open and reconvene at a time when there is further evidence to be presented. Government has not objections. Pending evaluation Mr. Moss will inform the Court and Government counsel once a report has been received. Court is in recess. To order a transcript of this hearing please contact Shelly McDowell, 816–512–5000. (McDowell, Shelly) (Entered: 03/02/2012)
03/04/2012	<u>57</u>	ELECTRONIC TRANSCRIPT as to Anthony C Deloney of Hearing on Motion to Determine Competency held March 1, 2012 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker, 816–914–3613, rapid1transcript@att.net. Number of pages: 5. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to

		redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov . Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 3/12/2012. Release of Transcript Restriction set for 6/4/2012. (Whittaker, Lissa) (Entered: 03/04/2012)
03/09/2012	<u>58</u>	<i>DELETED AS INCORRECT DOCUMENT FILED.</i> MOTION for order <i>for Professional Visit</i> by Anthony C Deloney. Suggestions in opposition/response due by 3/26/2012 unless otherwise directed by the court. (Moss, Stephen) Modified on 3/9/2012 (Moore, Terri). (Entered: 03/09/2012)
03/09/2012		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 3/9/12 as Document No. 58, MOTION for order <i>for Professional Visit</i> . The document has been deleted as the incorrect document was filed. Counsel to refile the correct document. This is a text entry only – no document is attached. (Moore, Terri) (Entered: 03/09/2012)
03/09/2012	<u>59</u>	MOTION for order <i>Professional Visit</i> by Anthony C Deloney. Suggestions in opposition/response due by 3/26/2012 unless otherwise directed by the court. (Moss, Stephen) (Entered: 03/09/2012)
03/09/2012	<u>60</u>	PRO SE MOTION to quash by Anthony C Deloney. Suggestions in opposition/response due by 3/26/2012 unless otherwise directed by the court. (Attachments: # <u>1</u> Envelope)(Moore, Terri) (Entered: 03/09/2012)
03/09/2012	<u>61</u>	PRO SE MOTION to Dismiss by Anthony C Deloney. Suggestions in opposition/response due by 3/26/2012 unless otherwise directed by the court. (Attachments: # <u>1</u> Envelope)(Moore, Terri) (Entered: 03/09/2012)
03/14/2012	<u>62</u>	ORDER as to Anthony C Deloney (1) – ORDERED that defendant Deloneys Motion for Professional Visit at CCA (doc #59) isgranted. It is furtherORDERED that CCA is directed to allow Dr. William Logan, a forensic psychiatrist, to havea contact visit with defendant Anthony C. Deloney on Monday, March 26, 2012, from 1:00 p.m. to5:00 p.m. for the purpose of conducting a psychiatric examination.. Signed on 3/14/2012 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 03/14/2012)
04/20/2012	<u>65</u>	REPORT AND RECOMMENDATIONS as to Anthony C Deloney – RECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order finding that defendant Anthony Deloney is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or assisting in his defense and that he is competent to stand trial.Counsel are reminded they have fourteen days from the date of this Report and Recommendation within which to file and serve objections. A failure to file and serve timely objections shall bar an attack on appeal of the factual findings in this Report and Recommendation which are accepted or adopted by the district judge, except on grounds of plain error or manifest injustice. Objections to R&R due by 5/7/2012. Signed on 4/20/2012 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 04/20/2012)
04/27/2012	66	NOTICE OF HEARING as to Anthony C Deloney. This is the official notice for this hearing. Motion Hearing set for 5/10/2012 11:00 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on

		4/27/2012 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 04/27/2012)
05/10/2012	<u>67</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: MOTION HEARING as to Anthony C Deloney held on 5/10/2012. Parties present in person and with counsel. Hearing held to discuss defendants concerns about this current representation by Mr. Moss. After discussion, the defendant advises the Court that he wishes to continue with Mr. Moss as his attorney and the issues are resolved. Defendant requests until May 24, 2012 to get any pretrial motions on file and the government has until June 7, 2012 to respond. Defendant returned to the custody of U.S. Marshal. Court adjourned. Motion Hearing set for 6/8/2012 10:00 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays. To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) (Entered: 05/11/2012)
05/17/2012	<u>68</u>	ORDER ADOPTING REPORT AND RECOMMENDATION finding that defendant is competent to understand the proceedings against him and to properly assist counsel in his own defense. Signed on 5/17/12 by Chief District Judge Fernando J. Gaitan, Jr.(Enss, Rhonda) (Entered: 05/17/2012)
05/24/2012	<u>69</u>	MOTION to suppress <i>evidence</i> by Anthony C Deloney. Suggestions in opposition/response due by 6/11/2012 unless otherwise directed by the court. (Moss, Stephen) (Entered: 05/24/2012)
06/04/2012	<u>70</u>	ORDER as to Anthony C Deloney (1) – ORDERED that defendant Deloneys pro se pleadings (docs #51, #60, #61 and #63) are denied.. Signed on 6/4/2012 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 06/04/2012)
06/07/2012	<u>71</u>	SUGGESTIONS in opposition by USA as to Anthony C Deloney re <u>69</u> MOTION to suppress <i>evidence</i> . Reply suggestions due by 6/25/2012 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit A – Suspect Statement)(Becker, Paul) (Entered: 06/07/2012)
06/08/2012	<u>72</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: MOTION HEARING as to Anthony C Deloney held on 6/8/2012 re <u>69</u> MOTION to suppress <i>evidence</i> filed by Anthony C Deloney. Parties present in person and with counsel ready to proceed with hearing on defendant's motion to suppress evidence filed on 5/24/12 (doc. 69). Government calls Police Officer Terrance Finn, Detective Jonah Staerkel, Police Officer Wesley Lambright, and Detective Darla D. Harris. Direct and cross-examinations conducted. Governments Exhibits 1 and 2, and Defendants Exhibit 1 admitted. Matter deemed submitted; court to issue Report and Recommendation. Transcript ordered. To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) (Entered: 06/08/2012)
06/08/2012	<u>73</u>	ORDER setting pretrial conference as to Anthony C Deloney Pretrial Conference set for 6/26/2012 09:40 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 6/8/2012 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 06/08/2012)
06/08/2012	<u>74</u>	GOVERNMENT'S EXHIBIT INDEX of 6/8/12 suppression hearing as to Anthony C Deloney. (Carr, Lori) (Entered: 06/08/2012)
06/08/2012	<u>75</u>	

		DEFENDANT'S EXHIBIT INDEX of 6/8/12 suppression hearing as to Anthony C Deloney. (Carr, Lori) (Entered: 06/08/2012)
06/14/2012	<u>76</u>	ELECTRONIC TRANSCRIPT as to Anthony C Deloney of Suppression Hearing held June 8, 2012 before Judge Sarah W. Hays. Court Reporter: Lissa Whittaker, 816-914-3613, rapid1transcript@att.net. Number of pages: 47. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies. This transcript will be released 90 days after the termination of the case. Notice of Intent to File Redaction of Transcripts due by 6/21/2012. (Whittaker, Lissa) (Entered: 06/14/2012)
06/20/2012	<u>77</u>	REPORT AND RECOMMENDATIONS as to Anthony C Deloney – RECOMMENDED that the Court, after making an independent review of the record and applicable law, enter an order denying defendant Deloneys Motion to Suppress Evidence (doc #69).Counsel are reminded that they have fourteen days from the date of the receipt of a copy of this Report and Recommendation within which to file and serve objections to same. A failure to file and serve objections by this date shall bar an attack on appeal of the factual findings in this Report and Recommendation, which are accepted or adopted by the district judge, except on grounds of plain error or manifest injustice. Objections to R&R due by 7/9/2012. Signed on 6/20/2012 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 06/20/2012)
06/21/2012	<u>78</u>	JUDGMENT AND/OR OPINION of USCA as to Anthony C Deloney re <u>42</u> Notice of Appeal – Interlocutory This is a preliminary judgment and/or opinion of U.S. Court of Appeals; jurisdiction is not recovered until the mandate is issued by the appellate court. After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court. (Attachments: # <u>1</u> Opinion)(Crespo, Wil) (Entered: 06/21/2012)
06/22/2012	<u>79</u>	AMENDED NOTICE OF HEARING as to Anthony C Deloney. This is the official notice for this hearing. Pretrial Conference reset for 6/26/2012 02:00 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays. Per request of defense counsel. Signed on 6/22/2012 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 06/22/2012)
06/26/2012	<u>80</u>	MOTION to continue by Anthony C Deloney. Suggestions in opposition/response due by 7/13/2012 unless otherwise directed by the court. (Moss, Stephen) (Entered: 06/26/2012)
06/26/2012	<u>81</u>	Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: PRETRIAL CONFERENCE as to Anthony C Deloney held on 6/26/2012. Parties present in person and with counsel. Defense counsel handed the Court a Motion to Continue at the beginning of the hearing. Discussion was held on why the continuance was needed. Defendant asked the Court to replace his counsel and the Court advised defendant that at this time they would not take up that particular matter. Based on the written motion, the Court will continue

		the matter until the August criminal trial docket. Defendant remanded to the custody of the U.S. Marshal. To order a transcript of this hearing please contact Dorothy Myers, 816-512-5059. (Myers, Dorothy) (Entered: 06/27/2012)
06/28/2012	<u>82</u>	OBJECTION TO REPORT AND RECOMMENDATIONS <u>77</u> by Anthony C Deloney (Moss, Stephen) (Entered: 06/28/2012)
07/03/2012	<u>83</u>	RESPONSE TO OBJECTIONS byUSA as to Anthony C Deloney (Becker, Paul) (Entered: 07/03/2012)
07/06/2012	<u>84</u>	ORDER Continuing Trial – granting defendant's motion to continue <u>80</u> . The trial as to defendant Anthony C Deloney is continued to 8/13/2012 in Kansas City (FJG). Signed on 7/6/12 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda) (Entered: 07/06/2012)
07/09/2012	<u>85</u>	ORDER setting pretrial conference as to Anthony C Deloney Pretrial Conference set for 8/3/2012 01:00 PM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 7/9/2012 by Magistrate Judge Sarah W. Hays.(Gicinto, JoRita) (Entered: 07/09/2012)
07/11/2012	<u>86</u>	PRO SE MOTION for order <i>Termination of Counsel</i> by Anthony C Deloney. Suggestions in opposition/response due by 7/30/2012 unless otherwise directed by the court. (Gicinto, JoRita) (Entered: 07/11/2012)
07/11/2012	<u>87</u>	PRO SE MOTION for order <i>The Postponement of time allowed for reconsideration motion filed by defense to Suppress Evidence</i> by Anthony C Deloney. Suggestions in opposition/response due by 7/30/2012 unless otherwise directed by the court. (Gicinto, JoRita) (Entered: 07/11/2012)
07/11/2012	<u>88</u>	NOTICE OF HEARING as to Anthony C Deloney. This is the official notice for this hearing. Attorney Hearing – <i>Pro See Motion for Termination of Counsel doc #86</i> –set for 7/19/2012 09:45 AM in Courtroom 6E, Kansas City (SWH) before Magistrate Judge Sarah W. Hays.. Signed on 7/11/2012 by Magistrate Judge Sarah W. Hays. This is a TEXT ONLY ENTRY. No document is attached. (Gicinto, JoRita) (Entered: 07/11/2012)
07/11/2012	<u>89</u>	MOTION to compel <i>counsel to acquire and produce</i> by Anthony C Deloney. Suggestions in opposition/response due by 7/30/2012 unless otherwise directed by the court. (Attachments: # <u>1</u> Envelope)(Moore, Terri) (Entered: 07/12/2012)
07/16/2012	<u>90</u>	MANDATE of USCA as to Anthony C Deloney re <u>42</u> Notice of Appeal – Interlocutory with mandate issued on 7/16/12. (Crespo, Wil) (Entered: 07/16/2012)
07/17/2012	<u>91</u>	ORDER ADOPTING REPORT AND RECOMMENDATION <u>77</u> denying defendant's Motion to Suppress Evidence <u>69</u> . Signed on 7/17/12 by Chief District Judge Fernando J. Gaitan, Jr.(Enss, Rhonda) (Entered: 07/17/2012)
07/19/2012	<u>92</u>	PRO SE MOTION for order to Terminate Stephen C. Moss, Assistant Federal Public Defender and Gina Slack Investigator for Defendant by Anthony C Deloney. Suggestions in opposition/response due by 8/6/2012 unless otherwise directed by the court. (Carr, Lori) (Entered: 07/20/2012)
07/19/2012	<u>93</u>	

		Minute Entry for proceedings held before Magistrate Judge Sarah W. Hays: MOTION HEARING as to Anthony C Deloney held on 7/19/2012 re <u>86</u> MOTION for order filed by Anthony C Deloney. The court received several correspondence from the defendant, and addresses document 86 specifically. The defendant moves for a recess to allow counsel and the court to review an additional motion for termination of counsel, filed during the proceeding. The court makes further inquiry of the defendant and defense counsel. Parties agree to allow the court time to review the most recent pleading and make its ruling. Government alerts the court the he has two trials set in August. Record maderegarding the governments plea offer and subsequent rejection by the defendant. Court adjourns To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) (Entered: 07/20/2012)
07/24/2012	<u>94</u>	ORDER as to Anthony C Deloney (1) – ORDERED that defendant Deloneys pro se pleadings (docs #86 and #92) are denied.. Signed on 7/24/2012 by Magistrate Judge Sarah W. Hays. (Gicinto, JoRita) (Entered: 07/24/2012)
07/24/2012	<u>95</u>	NOTICE OF ATTORNEY APPEARANCE Don Michael Green appearing for USA. (Green, Don) (Entered: 07/24/2012)
07/27/2012	<u>96</u>	PROPOSED EXHIBIT LIST by USA as to Anthony C Deloney (Green, Don) (Entered: 07/27/2012)
07/27/2012	<u>97</u>	PROPOSED WITNESS LIST by USA as to Anthony C Deloney (Green, Don) (Entered: 07/27/2012)
07/31/2012	<u>98</u>	NOTICE OF HEARING as to Anthony C Deloney. This is the official notice for this hearing. Change of Plea Hearing set for 8/2/2012, at 11:00 AM in Courtroom 7C, Kansas City, before Chief District Judge Fernando J. Gaitan Jr. Signed on 7/31/2012 by Chief District Judge Fernando J. Gaitan, Jr. This is a TEXT ONLY ENTRY. No document is attached. (Shawver, Marylynn) (Entered: 07/31/2012)
08/01/2012	<u>99</u>	ORDER denying <u>87</u> motion for order as to Anthony C Deloney (1); denying <u>89</u> motion to compel as to Anthony C Deloney (1). Since defendant Deloney is represented by counsel in this action, the Court will only consider defense motions which are prepared by defendants counsel. See Abdullah v. UnitedStates, 240 F.3d 683, 686 (8th Cir. 2001)(A district court has no obligation to entertain pro se motions filed by a represented party.)Signed on 8/1/12 by Magistrate Judge Sarah W. Hays. (Carr, Lori) (Entered: 08/01/2012)
08/01/2012	<u>100</u>	NOTICE of filing by Anthony C Deloney (Attachments: # <u>1</u> Envelope). (Moore, Terri) (Entered: 08/01/2012)
08/02/2012	<u>101</u>	WAIVER OF INDICTMENT by Anthony C Deloney. (Moore, Terri) (Entered: 08/02/2012)
08/02/2012	<u>102</u>	INFORMATION as to Anthony C Deloney (1) count(s) 1s. (Moore, Terri) (Entered: 08/02/2012)
08/02/2012	<u>103</u>	Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr.: CHANGE OF PLEA HEARING as to Anthony C Deloney held on 8/2/2012. Plea entered by Anthony C Deloney (1): Guilty, Count 1s of the Information. To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Moore, Terri) (Entered: 08/02/2012)

08/02/2012	<u>104</u>		PLEA AGREEMENT as to Anthony C Deloney (Becker, Paul) (Entered: 08/02/2012)
01/04/2013	106		NOTICE OF HEARING as to Anthony C Deloney. This is the official notice for this hearing. Sentencing hearing is set for 1/30/2013, at 10:00 AM in Courtroom 7C, Kansas City, before Chief District Judge Fernando J. Gaitan Jr. *** OPTIONAL SENTENCING MEMORANDUM DUE FIFTEEN (15) DAYS BEFORE HEARING (1/15/13).Mandatory response due five (5) days thereafter. Counsel who plan to argue variance under <u>Gall v. U.S.</u> should submit a memo outlining factors which support the variance; mandatory response required. Failure to timely file may result in case being removed from docket. Memos are limited to twelve (12) pages and one(1) memo per party unless a motion for leave to exceed is granted in advance.*** Signed on 1/4/13 by Chief District Judge Fernando J. Gaitan, Jr. This is a TEXT ONLY ENTRY. No document is attached. (Shawver, Marylynn) (Entered: 01/04/2013)
01/30/2013	<u>109</u>		Minute Entry for proceedings held before Chief District Judge Fernando J. Gaitan, Jr: SENTENCING held on 1/30/2013 for Anthony C. Deloney (1). To order a transcript of this hearing please contact Gayle Wambolt, 816-512-5641. (Melvin, Greg) (Entered: 02/01/2013)
02/01/2013	<u>110</u>		JUDGMENT and COMMITMENT as to Anthony C Deloney (1), Count(s) 1s. The defendant pleaded guilty to Count 1s on 08/02/12 of the Information. IMPRISONMENT: The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 100 Months. The defendant is remanded to the custody of the United States Marshal. The Court recommends to the Bureau of Prisons: That defendants medical history be reviewed for placement at a facility which specializes in medical care. SUPERVISED RELEASE: Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years. Standard and additional conditions of supervision imposed. CRIMINAL MONETARY PENALTIES: MSA: \$100. No fine or restitution. Release of Transcript Restriction re Suppression Hearing set for 5/2/2013. Signed on February 1, 2013, by Chief District Judge Fernando J. Gaitan, Jr.(Melvin, Greg) (Entered: 02/05/2013)
02/19/2013	<u>111</u>		NOTICE OF APPEAL by Anthony C Deloney Filing fee \$ 455, receipt number ifp. (Cardarella, Laine) (Entered: 02/19/2013)
02/19/2013	<u>112</u>		Transmission of Notice of Appeal Supplement to US Court of Appeals, 8th Circuit via electronic mail as to Anthony C Deloney to US Court of Appeals. Related Document <u>111</u> Notice of Appeal – Final Judgment. (Crespo, Wil) (Entered: 02/19/2013)
02/21/2013	<u>113</u>		USCA Case Number from 8th Circuit Court of Appeals is 13-1371 for <u>111</u> Notice of Appeal – Final Judgment filed by Anthony C Deloney as to Anthony C Deloney. Briefing schedule entered by the Court of Appeals is attached. Transcript due by 3/11/2013. (Attachments: # <u>1</u> Schedule)(Crespo, Wil) (Entered: 02/21/2013)
03/08/2013	<u>114</u>		ELECTRONIC TRANSCRIPT as to Anthony C Deloney of Change of Plea held August 2, 2013 before Chief Judge Fernando J. Gaitan, Jr. Court Reporter: Gayle Wambolt, 816-512-5641,

		<p>gayle_wambolt@mow.uscourts.gov. Number of pages: 20. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 3/15/2013. Release of Transcript Restriction set for 6/6/2013.(Wambolt, Gayle) (Entered: 03/08/2013)</p>
03/08/2013	<u>115</u>	<p>ELECTRONIC TRANSCRIPT as to Anthony C Deloney of Sentencing held January 30, 2013 before Chief Judge Fernando J. Gaitan, Jr. Court Reporter: Gayle Wambolt, 816-512-5641, gayle_wambolt@mow.uscourts.gov. Number of pages: 11. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 3/15/2013. Release of Transcript Restriction set for 6/6/2013.(Wambolt, Gayle) (Entered: 03/08/2013)</p>
03/08/2013	<u>116</u>	<p>Transmitted Documents on Appeal as to Anthony C Deloney to US Court of Appeals re <u>111</u> Notice of Appeal – Final Judgment (Crespo, Wil) (Entered: 03/08/2013)</p>
08/05/2013	<u>118</u>	<p>JUDGMENT AND/OR OPINION of USCA as to Anthony C Deloney re <u>111</u> Notice of Appeal – Final Judgment This is a preliminary judgment and/or opinion of U.S. Court of Appeals; jurisdiction is not recovered until the mandate is issued by the appellate court. It is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court. (Attachments: # <u>1</u> Opinion)(Crespo, Wil) (Entered: 08/05/2013)</p>
08/26/2013	<u>119</u>	<p>MANDATE of USCA as to Anthony C Deloney re <u>111</u> Notice of Appeal – Final Judgment with mandate issued on 8/26/13. (Crespo, Wil) (Entered: 08/26/2013)</p>
09/13/2013	<u>120</u>	<p>PRO SE MOTION for order to return, by Anthony C Deloney. Suggestions in opposition/response due by 9/30/2013 unless otherwise directed by the court. (Wheeler, LaTandra) (Entered: 09/17/2013)</p>
10/09/2013	<u>121</u>	<p>SUGGESTIONS in opposition by USA as to Anthony C Deloney re <u>120</u> MOTION for order to return . Reply suggestions due by 10/28/2013 unless otherwise directed by the court (Becker, Paul) (Entered: 10/09/2013)</p>
10/17/2013	<u>122</u>	<p>ORDER denying <u>120</u> defendant's motion for return of property as to Anthony C Deloney (1). Signed on 10/17/13 by Chief District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda)*** Modified on 10/17/2013 to reflect that a copy of the Order and NEF was sent via regular mail to defendant: Anthony C. Deloney, Reg. No. 23045-045, FCI Williamsburg, PO Box 340, Salters, SC 29590 (Wheeler, LaTandra). (Entered: 10/17/2013)</p>

12/23/2013	<u>123</u>		PRO SE MOTION for order, by Anthony C Deloney. Suggestions in opposition/response due by 1/9/2014 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(Wheeler, LaTandra) (Entered: 12/26/2013)
01/10/2014	<u>124</u>		SUGGESTIONS in opposition by USA as to Anthony C Deloney re <u>123</u> MOTION for order . Reply suggestions due by 1/27/2014 unless otherwise directed by the court (Becker, Paul) (Entered: 01/10/2014)
01/21/2014	<u>125</u>		ORDER denying as moot <u>123</u> defendant's motion requesting an inventory sheet as to Anthony C Deloney (1). Signed on 1/21/14 by District Judge Fernando J. Gaitan, Jr. (Enss, Rhonda). Modified on 1/21/2014 to note order and NEF mailed to defendant at address indicated in #123 (Enss, Rhonda). (Entered: 01/21/2014)
06/14/2016	<u>126</u>		MOTION to vacate under 28 U.S.C. 2255 by Anthony C Deloney. Suggestions in opposition/response due by 7/1/2016 unless otherwise directed by the court. (Cardarella, Laine) Civil case 4:16-cv-00593-FJG opened. (Entered: 06/14/2016)
05/05/2017	<u>127</u>		ORDER denying <u>126</u> motion to vacate (2255) as to Anthony C Deloney (1). Signed on 05/05/2017 by District Judge Fernando J. Gaitan, Jr. (Powers, Jo) Civil Case 4:16-cv-00593-FJG closed. (Entered: 05/05/2017)
04/09/2020	<u>129</u>		PROBATION JURISDICTION transferred to Northern District of California as to Anthony C Deloney Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. (Houston, Kiambu) (Entered: 04/09/2020)

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	No.
)	
Plaintiff,)	18 U.S.C. §§ 922(g)(1) & 924(e)(1)
)	
v.)	NLT: Fifteen Years Imprisonment
)	NMT: Life Imprisonment
ANTHONY C. DELONEY,)	NMT: \$250,000 Fine
[DOB: 09/24/1956])	NMT: Five Years Supervised Release
)	
Defendant.)	\$100 Special Assessment

INDICTMENT

THE GRAND JURY CHARGES THAT:

On, about and between March 1, 2011, and April 5, 2011, in the Western District of Missouri, the defendant, ANTHONY C. DELONEY, having been convicted of crimes punishable by imprisonment for terms exceeding one year, did knowingly possess, in and affecting commerce, firearms, to wit, a Rossi, Model 68, .38 caliber revolver, Serial Number AA306778, a Ruger, Model P97DC, .40 caliber pistol, Serial Number 66349273, a Winchester, Model 1200, 12 gauge shotgun, Serial Number L1176741 and a Marlin, .22 caliber rifle, Serial Number 22411490, all of which had been transported in interstate commerce.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e)(1).

A TRUE BILL.

4/20/11
DATE

/s/ Lawrence E. Johnson
FOREPERSON OF THE GRAND JURY

/s/ Paul S. Becker
Paul S. Becker
Assistant United States Attorney
Western District of Missouri
Chief, Violent Crimes Strike Force Unit

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

CRIMINAL CASE COVER SHEET

Division of Filing

☒ Western ☐
☐ Central ☐
☐ Southwestern

St. Joseph
 Southern

Place of Offense

Jackson
 County

Matter to be Sealed

☐ Secret Indictment
☐ Juvenile

Defendant Information

Defendant Name ANTHONY C. DELONEY
 Alias Name _____
 Birthdate 09/24/1956

Related Case Information

Superseding Indictment/Information ☐ Yes ☒ No
 if yes, original case number _____

New Defendant ☐ Yes ☒ No

Prior Complaint Case Number, if any 11-00042SWH-01

U.S. Attorney Information

AUSA Paul S. Becker

Interpreter Needed

☐ Yes Language and/or dialect _____
☐ No

Location Status

Arrest Date _____
☒ Currently in Federal Custody
☐ Currently in State Custody Writ Required ☐ Yes ☐ No
☐ Currently on bond

U.S.C. Citations

Total # of Counts 1

Set	Index Key/Code/Offense Level	Description of Offense Charged	Count(s)
1	18/922G.F/7830/4	Unlawful Transport of Firearms	1
2			
3			

Date 4/20/11 Signature of AUSA /s/ Paul S. Becker

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) No. 11-00098-01-CR-W-FJG
v.) COUNT ONE:
) 18 U.S.C. §§ 922(j) & 924(a)(2)
ANTHONY C. DELONEY,) [NMT: Ten Years Imprisonment, \$250,000
[DOB: 09/24/1956]) Fine, Three Years Supervised Release, Plus
) \$100 Special Assessment]
Defendant.)

I N F O R M A T I O N

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE

Between on or about March 1, 2011, and on or about April 5, 2011, in the Western District of Missouri, the defendant, ANTHONY C. DELONEY, did knowingly possess stolen firearms, to wit, a Rossi, Model 68, .38 caliber revolver, Serial Number AA306778, a Ruger, Model P97DC, .40 caliber pistol, Serial Number 66349273, a Winchester, Model 1200, 12 gauge shotgun, Serial Number L1176741, and a Marlin, .22 caliber rifle, Serial Number 22411490, which had been transported in interstate commerce, knowing and having reasonable cause to believe that at least one of the firearms was stolen.

All in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

David M. Ketchmark
Acting United States Attorney

By */s/ D. Michael Green*

D. Michael Green, #36738
Assistant United States Attorney
Violent Crimes Strike Force Unit

Dated: August 2, 2012

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA

-vs-

Case No.: 4:11-cr-00098-FJG-1

ANTHONY C. DELONEY

USM Number: 23045-045

Laine Cardarella, AFD
818 Grand Boulevard, Suite 300
Kansas City, MO 64106

JUDGMENT IN A CRIMINAL CASE

The defendant pleaded guilty to Count 1s on 08/02/12 of the Information. Accordingly, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. 922(j) and 924(a)(2)	Possession of Stolen Firearms	04/05/11	1

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 01/30/13

/s/ Fernando J. Gaitan, Jr.
FERNANDO J. GAITAN, JR.
Chief U. S. District Court Judge

February 1, 2013

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **100 Months**.

The defendant is remanded to the custody of the United States Marshal.

The Court recommends to the Bureau of Prisons:

That defendant's medical history be reviewed for placement at a facility which specializes in medical care.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **3 years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

The defendant shall cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine or a restitution, it is a condition of supervision that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;

13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

ADDITIONAL CONDITIONS OF SUPERVISED RELEASE

The defendant shall also comply with the following additional conditions of supervised release:

1. The defendant shall successfully participate in a substance abuse testing program, which may include urinalysis, sweat patch, or Breathalyzer testing, as approved by the Probation Office, and pay any associated costs as directed by the Probation Office.
2. The defendant shall not consume or possess alcoholic beverages or beer, including 3.2 percent beer, at any time.
3. The defendant shall satisfy all warrants and/or pending charges within the first 90 days of supervised release.
4. The defendant shall submit his person, and any property, house, residence, office, vehicle, papers, computer, other electronic communication or data storage devices or media and effects to a search, conducted by a U.S. Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
5. The defendant shall comply with the Western District of Missouri Offender Employment Guideline which may include participation in training, counseling, and/or daily job searching as directed by the probation officer. If not in compliance with the condition of supervision requiring full-time employment at a lawful occupation, the defendant may be required to perform up to 20 hours of community service per week until employed, as approved or directed by the probation officer.
6. The defendant shall successfully participate in any mental health evaluation and, if deemed appropriate, successfully participate in a mental health counseling program, as approved by the Probation Office, and pay any associated costs, as directed by the Probation Office.

ACKNOWLEDGMENT OF CONDITIONS

I have read or have read the conditions of supervision set forth in this judgment and I fully understand them. I have been provided a copy of them.

I understand that upon finding of a violation of probation or supervised release, the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

Defendant

Date

United States Probation Officer

Date

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments set forth in the Schedule of Payments.

Total Assessment

\$100.00

Total Fine

None

Total Restitution

N/A

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to [18 U.S.C. § 3612\(f\)](#). All of the payment options on the Schedule of Payments may be subject to penalties for delinquency and default, pursuant to [18 U.S.C. § 3612\(g\)](#).

Note: Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

* See separate Restitution Judgment for further details

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

Lump sum payment of **\$100.00** due immediately.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court. The Defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.